FEATURES:

- Central American Refugees
- Reports Submitted to UN
- Big Asylum Victory
- Pulitzer Prize-winning Author to Speak at Human Rights Awards Dinner
- Safe Harbor Goes into Effect

The Advocates For Human Rights.org
The sound of babies and young children crying has become a daily occurrence in The Advocates’ office as people from Central America come to us for help. We are in immigration court, too, ensuring that everyone who needs an attorney has access to one. In addition, we lead the nation by providing online legal resources; investigating people’s arbitrary detention experiences and reporting them to the United Nations; and recruiting and training volunteer attorneys, translators, and interpreters to furnish much-needed services.

The refugees from Guatemala, Honduras, and El Salvador—mostly unaccompanied minors and children with their mothers—are fleeing gang violence, death, rape, domestic violence, and other unbearable danger. They face risks both in the streets, and for many, in their homes. As we have seen in our work on violence against women, many countries are unable or unwilling to protect victims and hold offenders accountable for domestic violence crimes and sexual assault. This is the case for Guatemala, Honduras, and El Salvador. Take Honduras for example. As we reported to the United Nations in September, the government of Honduras only convicts five percent of perpetrators charged with domestic violence, femicide, and sexual assault crimes.

Fleeing their home countries does not end the trauma for most Central American refugees. Many suffer severely during their migration journey. And once in the United States, most are consumed by an entirely new ordeal—life in detention and the difficult, maze-like U.S. legal system. Together, the three discreet periods of suffering—pre-flight, flight, and post-flight—combine to create the “Triple Trauma Paradigm,” described in this issue’s article, “Hit by Trauma Time & Time Again.” (See pages 4-5.)

Many of the Central American refugees come in need of protection with asylum claims that give them the right to stay in the United States. Despite this, the painful reality facing these refugees when they enter the United States is vastly different from the promises our country made and the standards set by law. While the United States has committed under both federal law and international treaty to protect people fleeing persecution, it has seemingly disregarded its commitments. In addition to the complications and due process violations inherent in our immigration system, we hear accounts of extreme misconduct by U.S. law enforcement and immigration officials involving humiliation, assault, and injury. (See pages 6-7, “‘Detain. Deny. Deport.’”)

Immigration reform has been headline news for several years. There has been a lot of noise, but not much progress. The wait for change has been excessive and heartbreaking. Restructuring the U.S. immigration system is imperative; the U.S. government must keep the promises it has made, as well as create a process that does not add to the trauma people suffer.

The Central American refugees put a human and tragic face on many of the nation’s immigration issues, telling in real-life terms the costs of the shattered system and broken promises. We must recognize our common humanity and not return a single person—particularly a child—until each person has been afforded due process, legal representation, and a fair review of their situation. We must not return a human being to harm and possible death. It is not what we, as a nation, have committed to. It is not who we are.

Robin Phillips
Executive Director
Pulitzer Prize-winning author Sonia Nazario will be the keynote speaker and recipient of the Don and Arvonne Fraser Human Rights Award at the 2015 Human Rights Awards Dinner to be held Tuesday, June 16 at The Depot, in downtown Minneapolis. She will speak about the plight of Central American refugees based, in part, on her journey with migrants from Honduras through Mexico to the United States on top of the “train of death.”

Nazario is noted for her story, Enrique’s Journey, which describes a Honduran boy’s struggle to flee violence in his home country and to find his mother in the United States. It has won more than a dozen awards, among them the Pulitzer Prize for feature writing, the George Polk Award for International Reporting, and the Grand Prize of the Robert F. Kennedy Journalism Award.

Expanded into a book, Enrique’s Journey became a national bestseller and won three book awards. It has been required reading for incoming freshmen at more than 71 colleges and scores of high schools; a young adult version, published in 2014, has broadened the book’s use to middle schools.

Nazario has spent more than 20 years reporting and writing about social issues in the United States—hunger, drug addiction, and immigration—most recently as a reporter for the Los Angeles Times. Nazario, who grew up in Kansas and Argentina, began her career at the Wall Street Journal.

She has been named among the most influential Latinos by Hispanic Business Magazine and a “trendsetter” by Hispanic Magazine. In 2012, Columbia Journalism Review named Nazario among “40 women who changed the media business in the past 40 years.” She is on the advisory board of Catch the Next, a nonprofit working to double the number of Latinos enrolling in college, and on the board of Kids In Need of Defense, a nonprofit launched by Microsoft and Angelina Jolie to provide pro bono attorneys to unaccompanied immigrant children.

Nazario, a graduate of Williams College in Massachusetts, has a master’s degree in Latin American Studies from the University of California, Berkeley. She has been awarded honorary doctorates by Mount St. Mary’s College and Whittier College.

Watch Jon Stewart’s July 28, 2014 interview of Sonia Nazario at http://on.cc.com/13zB0G2

Sonia Nazario, on the hardest part of writing Enrique’s Journey:

“A great difficulty was figuring out a way to report this story in a way that would involve the least danger to myself. Living with the near-constant fear of being beaten, robbed, or raped over a period of months was difficult. I rode on top of a fuel tanker one night when there was rain and lightning. Once, a branch hit me in the face and nearly sent me sprawling off the train top. A child was plucked off the train by the same branch and fell down to the wheels below. Another time, a train derailed right in front of ours. I interviewed a girl who had been gang raped along the tracks in Ixtpec, Oaxaca, and realized that I had been alone at that same spot just one day before. Gangsters were aboard some of my trains. On the Rio Grande, I worried about so-called ‘river bandits’ and I was approached by Mexican police with their guns drawn. That said, I endured nothing even minimally close to what immigrants go through on this trek. At the end of a long train ride, I could pull out my credit card, go to a hotel and sleep. I ate. I had so many advantages these immigrants didn’t have.

“The story was most difficult for me on an emotional level. It was wrenching to interview mothers in the United States who had spent years separated from their children. It was hard to talk to women in Mexico, on their way to the United States, who had just walked away from children, sometimes babies. . . . Or speak with a boy who had just lost a leg to the train. My mission was to chronicle what this journey was like for these children and to do it to the best of my abilities. To take readers inside this world, to explain. But watching these human dramas unfold before my eyes, often left me feeling inadequate and useless.”
Central American Refugees >

Hit by Trauma Time & Time Again

It sounds clinical, the term “Triple Trauma Paradigm,” a model used by psychologists and others who work with refugees and victims of torture. But for the children and families escaping the countries of Honduras, El Salvador, and Guatemala, it is all too real.

The paradigm was developed to distinguish and describe the suffering and vulnerability unique to people in exile. It applies to those from Central America seeking safety in the United States and elsewhere.

First, constant fear
What has been happening at the U.S.-Mexico border reflects humanitarian crises that have been occurring on the ground in El Salvador, Honduras, and Guatemala. These countries are struggling with what is essentially an undeclared regional war, with murder rates nearly 20 times higher than that of the United States, street gangs controlling wide swaths of neighborhoods throughout the region, government corruption, and political instability.

Forced gang recruitment terrifies people. Refusal has led to body parts being left on front steps, young girls raped in front of their families, and bodies mutilated and dumped onto highways. Consider 16-year-old Josefina from El Salvador. “The head of the gang that controlled her neighborhood wanted Josefina to be his girlfriend and threatened to kidnap her or to kill one of her family members if she didn’t comply,” reports the United Nations High Commissioner for Refugees in its recent report, Children on the Run. “Once the gang started harassing her, she didn’t feel safe, so she stopped going to school and stayed at home until her family was able to make arrangements for her to travel to the U.S.”

Second, a terrifying journey
“For many people, the choice is to flee or to die,” said Carlos Paz, director of a church organization in San Pedro Sula, Honduras, in The Guardian’s July 9, 2014 issue. Unaccompanied minors—including the very young—and mothers with children embark on one of the world’s most perilous immigration routes. They endure scorching heat and freezing cold; they are assaulted, robbed, raped, tortured, and abducted for ransom or trafficked for sex. They have little food and water.

Many travel perched atop freight trains, collectively known as “la bestia,” or “the beast.” To get on, people cling to the sides, scaling the ladder of the moving train and hoping their bodies do not get pulled under. With nothing to hold onto, those who fall asleep or get whipped by tree branches can topple from the top to have the wheels chew up their limbs and lives. Then there are the gangs controlling the trains, exacting the same abuse as they level against those traveling by other means. Whether by train, foot, or bus, only a fraction of immigrants make it to the U.S. border unscathed.

Take the case of 17-year-old Enrique, featured in the national bestseller Enrique’s Journey, written by Sonia Nazario. (Nazario is the keynote speaker for The Advocates’ 2015...
Human Rights Awards Dinner. See page 3 of this newsletter. Standing a mere five feet tall, Enrique tried eight times to escape the violence in Guatemala and to find his mother who had migrated to the United States when he was four. The first six times he fled for the United States, he was apprehended and returned to Guatemala. His seventh try was particularly horrendous; a group of men pummeled him while he rode on top of a train. The beating left him with a severe concussion to his left eye socket, an eyelid that may droop forever, open wounds, bruises, and broken teeth, according to Nazario. On his eighth attempt, after 47 harrowing days, Enrique made it to the Rio Grande.

In large part, Enriques Journey reflects the U.S. investment in the region, an investment intended to limit migration—and the right to seek asylum—by training and equipping border control agencies in Mexico and throughout Central America.

Third, abuses by the United States
The U.S. immigration system, while generous in many respects, is riddled with systemic failures to protect human rights and meet obligations under the Convention Against Torture (CAT) and other international human rights treaties. The Advocates for Human Rights submission to the UN Committee against Torture in October 2014 cites, among other grievances, the United States dramatic failure to meet CAT Article 16 obligations to prevent acts of cruel, inhuman, or degrading treatment or punishment within the countrys vast immigration detention system, affecting hundreds of thousands of migrants each year.

When Central American refugees arrive in the United States and turn themselves in to border patrol agents or get caught, they are first held in short-term facilities, often concrete rooms equipped with an open toilet and sink. Generally, there are no showers, sleeping accommodations, or blankets. Immigration and Customs Enforcement (ICE) then transfers mothers and their children and adults to detention centers, prisons, and jails. Because of the penal nature of the facilities, detainees are routinely subjected to degrading conditions. “The current state of the immigration detention system continues to be plagued by deaths and suicides, subpar medical and mental health care, inedible food, and arbitrary restrictions on visitation and access to legal resources,” according to a 2013 Detention Watch Network report.

More than 650 children and mothers are warehoused in the Artesia (New Mexico) center, where reports of human rights violations were quick to emerge. Another 550 are stockpiled in the Karnes (Texas) facility, operated by the GEO Group, which has “a long rap sheet of abuse, neglect, and misconduct in its facilities,” according to a Grassroots Leadership and Justice Strategies report. About 2,400 are being deposited in a center in Dilley, Texas—a facility owned and operated by Corrections Corporation of America (CCA), a multi-billion dollar private prison company that ran the disgraced Hutto center, a facility in Texas that the U.S. government shut down in 2009 because of mounting evidence of abuses.

Ironically cruel are the allegations of sexual assault of some of the refugees, the very brutality girls and women fled their home countries to escape. The Mexican American Legal and Educational Fund filed suit against the U.S. government in September detailing charges of sexual abuse of women detained in Karnes. Reports include guards removing women from cells to engage in sexual acts; referring to women as their “novias”; using their positions of power to request sexual favors in exchange for money; promises of assistance with their cases; assurances of shelter if the women are released; and kissing, fondling, and groping women in front of children. “These violations of human rights amount to torture,” said Rosalyn Park, acting director of The Advocates Women’s Human Rights Program. “Allegations should be immediately investigated, perpetrators prosecuted and punished, and independent monitoring undertaken to provide transparency and ensure accountability.”

Karnes does not stand alone; conditions in Artesia are abhorrent, too, according to attorney Kim Hunter who volunteered there in July. “ALL of the children are sick, with coughs at a minimum. They are dehydrated and listless. Children are not eating, and there is little to no access to medication or to medical care.” Hunter continues, “Mothers and children alike are all cold. There are no jackets or blankets. The residents wrap towels around their shoulders for at least some comfort, and mothers cover their infants with multiple washcloths in an effort to keep them warm.”

The Advocates’ partner Detention Watch Network (DWN) told of a 16-month-old boy who, when entering Artesia, was able to walk. The baby got so sick that he developed pneumonia and had to be hospitalized; now he’s no longer able to walk. DWN pointed to another case, a woman and her six-year-old son who were put in isolation because officers believed that a sore on the boy’s arm indicated infection. After four days, the mother began vomiting and experiencing diarrhea. Despite her pleas, officers told her to wait. She was forced to defecate on herself in front of her child, and sit in soiled clothes for 20 minutes. Finally, officers gave her a towel and made the woman, covered in feces and with her crying child at her side, walk across the facility.

“Central American refugees—especially unaccompanied children and mothers and their little ones—are courageous and bold,” said Mayell. “They need heroes to stand up and protect them.”

There are Central American refugees coming to the United States who are in need of protection and with asylum claims that give them the right to stay in the country, according to Robin Phillips, executive director of The Advocates for Human Rights. “Despite this, the painful reality facing these refugees is vastly different from the promises our country has made and the standards set by law.”
Children and their mothers are held in family detention centers, jail-like settings typically reserved for adults. Adults are held in detention facilities, apart from mothers and children. Fathers are separated from their families—placed in adult detention facilities, often privately owned or contracted space from counties and cities, hundreds of miles away from their loved ones and with no way to communicate with them. (Read about life in a detention center in “Hit by Trauma Time & Time Again,” pages 4–5.)

Mothers and children imprisoned

The decision to detain mothers traveling with children in detention centers is especially troubling. “The United States has taken a giant step backward from the time in 2009 when, responding to mounting evidence of abuses in the infamous Hutto Detention Center in Texas, it pulled families out of the facility,” said Deepinder Mayell, director of The Advocates’ Refugee & Immigrant Program. “Not only has the Obama administration re-opened family detention centers, it is increasing bed space by the thousands.”

Most vulnerable are “Number One” to deport

The United States ranks children who have come to this country alone at the top of the deportation list. The Obama administration ordered immigration courts to create fast-moving dockets—aptly nicknamed “rocket dockets”—for newly arrived Central American children and families. This gives unaccompanied children and mothers with children little time to prepare complicated asylum requests, even though asylum law regard-

The Advocates in Action > Saving Lives

Representing Clients

“Most of the Central American refugees we’re representing are mothers and children,” said Sarah Brenes of The Advocates’ Refugee & Immigrant Program. “There are lots of domestic violence and gang violence cases—girls who were being forced to be gang ‘girlfriends.’ Most clients are living in the Dakotas and Greater Minnesota, and children are difficult to reach because they’re in school, but we’re finding ways around all of this.” Partnering with local legal service providers, The Advocates is screening cases at Immigration Court, too. “We want to ensure that every child and family who seeks asylum has access to representation,” said Brenes.

Recruiting Volunteers

The Advocates is tapping new avenues for volunteer attorneys, translators, and interpreters. Trainings focusing on issues surrounding Central American refugees are being held with unprecedented turnout. “The response has been amazing, but more is needed,” said Brenes.

Investigating Detention

The Advocates is monitoring human rights conditions and reporting to the United Nations on the treatment of asylum seekers and detained immigrants in the United States.

Pushing for Change


Sharing Expertise Nationwide

Attorneys across the country can access The Advocates’ resources—brief templates, expert witness lists, descriptions of conditions in countries, and other critical information—that are featured on a variety of legal websites.
ing gender-based and gang-related cases involves some of the most challenging case law. Moreover, they are expected to complete the 10-page, English-only asylum form even though many of them do not speak English and have little to no education.

These refugees face other procedural barriers to having their claims be heard fairly. For example, U.S. Customs and Border Protection (CBP) conducts interviews with migrants when they enter the country. CBP interview summaries have been used to impeach women’s credibility if the document does not explain that they stated a fear of returning to their home country. Many mothers have said they fear returning, yet CBP officials have refused to believe them. Another tactic is to first ask the woman if she intends to work in the United States; if the response is “yes,” CBP concludes the person’s primary concern is economic, and therefore, fear of returning to the woman’s home country—necessary to be considered for asylum—does not exist.

Little hope without an attorney
Despite growing pressure, the government does not provide attorneys to represent refugees, even if the refugee is illiterate, an infant, or mentally or physically incapacitated. “Navigating the process without legal representation is almost hopeless, especially for a child,” said Mayell. “An analysis of 10 years’ worth of juvenile cases revealed that about 50 percent of children represented by attorneys were allowed to remain in the United States, according to a Syracuse University study. Without attorneys, only one out of 10 children could stay.”

It is difficult for adults, too. Minnesota attorney Kim Hunter, who volunteered at the Artesia detention center in July, told of a mother beaten so severely by her partner in her home country that she miscarried. The woman was detained, adjudicated, and whisked back to Central America before the government allowed attorneys to step foot on the facility’s premises. “We tried to get to her to help, but it was too late,” Hunter said.

People being railroaded
The UN High Commissioner for Refugees found in 2013 that about 60 percent of Central American children arriving at the U.S.-Mexico border had claims to international protection. At the time Hunter was at Artesia, only 37 percent made it through the asylum process initial step—known as the credible fear interview—compared to the nationwide number of 70 percent for all refugees. She wrote in a post for The Advocates’ blog, “From the top down, the process seems based on three simple operating principles: ‘Detain. Deny. Deport.’” In the Midwest, the Chicago Asylum Office approved 30 percent of the unaccompanied minor asylum applications. “In essence, what we have are deportation mills,” said Mayell.

Stuck behind bars
Getting released on bond has been another impediment, with immigration judges setting unusually high rates—in the tens of thousands of dollars. At hearings, U.S. Immigration and Customs Enforcement (ICE) has been filing a boilerplate 131-page exhibit claiming that the mothers are “security risks,” and therefore should remain in custody. Departing from past practice, families with loved ones in the United States willing to house and provide for them remain jailed. Moreover, ICE’s policy memos instructing that people be placed on parole after determining they have credible fear are being ignored.

“The government’s response to the Central American refugees isn’t an accident; it’s a deliberate policy to deter future asylum seekers,” said Mayell. “This flies in the face of American values to respond with dignity and to respect our international obligations to protect refugees.”

The TVPRA protects children entering the country alone by:

- Requiring the Dept. of Homeland Security to screen all children within 48 hours of apprehension to determine if the child is from a contiguous country. Children from Mexico or Canada are screened to determine whether they are at risk of trafficking upon return or have a credible fear of persecution. Those found not to have such risks are returned to their country of origin.
- Mandating that unaccompanied children from other countries be transferred to the custody of the Office of Refugee Resettlement no later than 72 hours after the child is determined to be unaccompanied. Children are to be placed in the least restrictive setting that is in the child’s best interest; and the agency should explore reuniting the child with family members.
- Ensuring that unaccompanied child asylum seekers have access to non-adversarial asylum interviews, rather than first having to present their claims in immigration court.
- Providing, to the extent possible, access to pro bono legal representation at no expense to the government.
- Appointing advocates to child trafficking victims and other unaccompanied children.

“The TVPRA is essential to ensure that Central American children have reasonable access to protection,” says Michele Garnett McKenzie, advocacy director for The Advocates. “TVPRA procedures safeguard the right of non-refoulement [prohibition to expel]—the cornerstone of international refugee protection against return to persecution—when it comes to children.”
The image of flickering lights has been with me since June. It was then that I heard Juan Meléndez, the 99th person to be exonerated from death row in the United States, describe how he waited in his death row cell for the lights to begin blinking off and on—the haunting sign that someone had been electrocuted to death. You see, the electric chair at that Florida prison ate up so much power that it caused electrical shortages throughout the facility.

Juan remembered the execution of one person in particular—a man he regarded as his friend. The two had valued their strong connection. They had confided in each other; they had cried and shared their dreams; they had bonded over the cruel fate awaiting them; they had embraced one another. The day prison officials came for his friend, Juan knew where the man was headed. There was nothing Juan could do to help. Powerless, he sat alone in his cell, his stomach sick with dread. Then, the lights began to flicker, and Juan knew at that very moment his friend was dead.

I heard Juan’s story when he and Ray Krone, the 100th person to be exonerated, joined me as presenters at the World Coalition against the Death Penalty’s 2014 General Assembly held in Puerto Rico in June. On the panel to talk about reparations—the right to remedy to which exonerees are entitled—I told the audience that The Advocates recommends that each exonerree receive a minimum of $100,000 for each year on death row, free social services, and free legal aid to apply for compensation. But what struck home with Juan and Ray was The Advocates’ final recommendation—an apology. “If someone would have met me at the gates as I walked out a free man and shook my hand and said ‘I’m sorry,’ that would have meant so much to me,” Ray said. “But no one did.”

Juan and Ray spent a collective 27 years on death row for crimes they did not commit. Today, the number of exonerees has climbed to 146, a number likely to continue to grow. A recent study estimates that at least 4.1 percent of the 3,070 people on death row in the United States today are innocent.

When released, exonerees’ chances to succeed are nearly impossible as they try to shoehorn their way back into society. Two-thirds of them are not financially independent. Nearly none has assets. Half reside with their families. Many face severe obstacles in obtaining a job and housing, made even more difficult because expungement of a wrongful conviction from a criminal record is not automatic. Many exonerees spent years in prison, during which time others in their age group completed an education, acquired job skills, and progressed in their careers. Furthermore, death sentences prohibit death row inmates from accessing in-prison educational programs and job training. For one-third of exonerees, their wrongful convictions led to losing custody of their children. Health care needs are very real, continued on next page
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Meet exonorees Juan Meléndez & Ray Krone >

Hidden Evidence, DNA Clears Men

Juan Roberto Meléndez-Colón spent nearly 18 years on Florida’s death row for a brutal crime he did not commit. It was a “traumatic and heartbreaking time for me and my family,” Meléndez wrote in The Huffington Post May 16, 2013 article. There was no physical evidence against him, and alibi witnesses placed him elsewhere. Nonetheless, within a week, Meléndez—who could not afford an attorney—was sentenced to death.

Sixteen years later, a transcript of a taped confession of the killer was discovered, along with other exculpatory evidence the prosecutor had systematically withheld. He was exonerated in 2002.

Since then, Meléndez has traveled the world to speak against the death penalty. He believes that it is his destiny, “I have no choice,” he said in The Huffington Post article, “What happened to me has happened to many other people. There can be no question that mistakes have happened in our capital punishment system. It stands to reason that there may be more mistakes in the system still.”

Ray Krone was arrested for the sexual assault and brutal murder of a female bartender in Phoenix, Arizona in 1991. The case rested largely on bite mark evidence on the body of the victim. Krone was found guilty and received the death penalty.

In 1996 Krone was given a second chance to prove his innocence. Despite the defense’s own bite mark expert, the jury found Krone guilty. “It hurt, it was more painful than the first time,” said Krone in a December 21, 2011 CNN interview. He added, “What cut me to the bone, to the core, was they said ‘guilty’ and I heard this most horrible scream, this moan from my mom and sister about five feet behind me (in court).”

Six years later, DNA from the crime scene was analyzed. Not only did it not match Krone’s, but there was another person in the DNA database who it matched perfectly—a man named Kenneth Phillips who was already serving time for another crime.

Krone says he is living proof that miscarriages of justice are made. “If this could happen to me, this could happen to anybody,” he told CNN. “We can’t keep giving people the ultimate punishment for something that is human in nature—the system does make mistakes.”

“I’m sorry’ would have meant so much to me,” continued with many exonerees affected by institutionalization and PTSD.

The right to a remedy for wrongful imprisonment varies widely from state to state. Sixteen states that retain the death penalty do not have compensation laws in order for those wrongfully convicted to seek reparation. In states with compensation laws, exonerees must often overcome onerous procedural and eligibility barriers. Missouri and Montana are examples: these states only grant awards to people exonerated by DNA. But of the 146 exoneration cases in the two states, DNA has played a substantial factor in innocence in just 20 cases.

Even if individuals succeed in their claims for compensation, restoration may be meager. In Illinois, Dennis Williams, Aaron Patterson, Gordon Steidl, and Leroy Orange each spent up 19 years on death row before being exonerated. But because of Illinois law, the most compensation each man could receive was less than $200,000, an amount that pales in comparison to the collective 70 years of their lives they lost.
Advancing human rights throughout the world

Violations Reported to Human Rights Bodies in 2014

United States
• UN Working Group on Arbitrary Detention, Jan. 2015
  Topic: detention of non-citizens
• UN Human Rights Committee, March 2014
  Topics: migrant detention, death penalty, violence against women
• UN Committee on the Elimination of Racial Discrimination, July 2014
  Topics: rights of non-citizens, death penalty
• Universal Periodic Review, Sept. 2014
  Topics: human rights education, rights of non-citizens, detention of immigrants, unaccompanied children from Central America
• UN Committee against Torture, Oct. 2014
  Topics: rights of non-citizens, unaccompanied children from Central America, death penalty

Honduras
• Universal Periodic Review, Sept. 2014
  Topic: violence against women

Morocco
• UN Committee on the Rights of the Child, Feb. 2014
  Topics: child domestic workers, rape and forced marriage of girls
• UN Human Rights Council, June 2014
  Topics: violence against women, gender equality

Libya
• Universal Periodic Review, Sept. 2014
  Topic: women’s rights

Liberia
• Universal Periodic Review, Sept. 2014
  Topics: detention conditions, pretrial detention

Keeping Countries "Honest"

The United Nations and the world’s regional human rights bodies work to protect, monitor, and advance human rights. One way this is accomplished is requiring parties to international and regional human rights treaties to submit periodic reports; the reports are to detail a country’s compliance with various treaties. As part of the process and to keep countries “honest,” The Advocates for Human Rights—together with partner NGOs, nonprofits, the academic community, and activists—responds to governments’ reports, identifies issues that need further attention, and provides credible information to the UN and regional human rights bodies about a country’s human rights violations. This map features those countries The Advocates examined and reported on in 2014, drawing attention to systemic problems in the countries and helping to end human rights violations.
Croatia
- Universal Periodic Review, Sept. 2014
  Topic: violence against women
- UN Committee against Torture, Oct. 2014
  Topic: violence against women
- UN Committee on the Elimination of Discrimination against Women, Oct. 2014
  Topic: violence against women

Bulgaria
- Universal Periodic Review, Sept. 2014
  Topic: violence against women

Japan
- UN Human Rights Committee, July 2014
  Topics: death penalty, prison conditions

Iran
  Topic: death penalty

Iraq
  Topic: death penalty

Ethiopia
- UN Special Rapporteurs (7), June 2014
  Topics: freedom of assembly, arbitrary detention, discrimination based on ethnicity
- UN Committee on the Rights of the Child, July 2014
  Topics: children’s rights, discrimination based on ethnicity
  Topics: children’s rights, discrimination based on ethnicity

Malawi
- Universal Periodic Review, Sept. 2014
  Topics: death penalty, detention conditions
  Topics: death penalty, detention conditions

Cameroon
- UN Committee on the Elimination of Discrimination against Women, Feb. 2014
  Topics: violence against women, political participation, right to education
Jennifer Prestholdt is The Advocates for Human Rights’ deputy director and director of its International Justice Program. She also leads The Advocates’ Nepal school initiative, and she practiced asylum law for five years when she was the director of the organization’s Refugee & Immigrant Program.

In law school, Prestholdt worked on refugee and asylum issues for the UN High Commissioner for Refugees in Geneva, Switzerland. She graduated cum laude from the University of Minnesota Law School, and has a MALD from Tufts University’s Fletcher School of Law and Diplomacy.

How did you first get involved with human rights?
I have been interested in human rights for just about as long as I can remember. When I was a kid, our church sponsored refugees from Vietnam. I remember sitting at our dining room table, listening spellbound to their stories about the human rights abuses they and their families had experienced.

You have worn many hats with The Advocates. What has that versatile experience been like?
Virtually every year has been different as The Advocates responds to new needs and opportunities. But regardless of the issue or the project, there are definitely many common threads running through the work, such as collaborating with human rights defenders and volunteers, interviewing, training, analyzing issues, writing reports, UN advocacy, etc. I really appreciate the creativity and flexibility to take on very unique human rights work, such as the Liberia Truth and Reconciliation Commission Diaspora Project.

Focus on Jennifer Prestholdt >
Creating Change Together

Do you see a connection between your work with the International Justice Program and The Advocates’ Nepal School?
Sure! With the International Justice Program, we use national and international justice mechanisms to hold governments accountable for human rights violations. Our Sankhu-Palubari Community School in Nepal was established to provide education as an alternative to child labor for children living in one particular impoverished agricultural community. The school gives us first-hand experience with the Nepali government’s failure to provide kids in Nepal (especially girls) access to education or to protect them from entering into child labor. When Nepal’s human rights record is reviewed by the United Nations, our International Justice Program will incorporate in our UN advocacy the on-the-ground information we’ve gained from our work on education and child labor in Nepal.

What do you wish other people knew about human rights and The Advocates?
The Advocates produces a tremendous amount of extremely high-quality work, and I wish more people knew about our impact. Also, I wish more people knew about the connection between child labor and chocolate. Most of the world’s chocolate comes from cacao grown in West Africa, particularly Cote d’Ivoire and Ghana, where as many as 1.8 million children may be exposed to the worst forms of child labor on cacao farms. Hershey’s, Mars, Nestlé, and other big companies have refused to take steps to remedy the problem. Unless you purchase Fair Trade-certified chocolate, a child very likely harvested the cacao in your chocolate. (I bought no chocolate for Halloween!)

What do you think will change about the global human rights movement over the next five years?
I am encouraged by the steady progress in women’s rights and in the abolition of the death penalty. It has been exciting to see dramatic improvements in LGBTI rights in the United States and Europe. These changes in the global human rights movement will continue to accelerate in the next five years.

What do you do when you are not working?
I have three kids (ages 15, 12, and 9), so family takes up most of my time when I’m not working. I also love to read, knit, and run, and I write for my personal blog.

Pictured: Jennifer Prestholdt (upper left) speaking at the “Bring Back Our Girls” rally held in Minneapolis on Mother’s Day this year and her son, Simon (upper right). Prestholdt said, “Simon and Eliza [Prestholdt’s daughter] are here today to stand in honor of the nearly 300 girls abducted simply because they were pursuing their human right to education. I think that’s pretty much the best Mother’s Day gift they could give me.”

Prestholdt’s photo courtesy of RaSam Photography
Game changer needed to end violence against women

NFL Strategy Must Be Bold

The Advocates for Human Rights and about 1,200 other national, state, and local domestic and sexual violence organizations requested in a September 29 letter to the National Football League that the NFL proactively and boldly make a significant investment in a long-term comprehensive community engagement campaign to end violence against girls and women. “As Cris Carter recently said, ‘If the NFL focused the NFL magic on ending violence against women and girls, it could be transformative,’” the letter stated.

The organizations urged the NFL, one of the most powerful brands in the United States, to:

• Support comprehensive media efforts to create awareness and shift attitudes;
• Engage players and leverage popular culture influencers to speak out against abuse and rape and to promote healthy relationships;
• Invest heavily in preventing violence against women by supporting national, state, and local community prevention programming; and
• Model leadership for other professional sports leagues, and encourage owners of leagues to build meaningful relationships with sexual violence coalitions and community programs to develop and implement comprehensive prevention programs and provide funds for increased demand intervention and response services.

The organizations also requested that the NFL create a strong policy that sends the clear message that the league does not tolerate violence against women, develop workplace education and training for the administration and team management, and ensure every player receives ongoing training and support.

Safe Harbor Implemented

Minnesota experienced a major change in victim protection when the 2013 Safe Harbor for Sexually Exploited Youth Act (Safe Harbor) went into effect August 1. The law drastically changes the way in which Minnesota views prostitution and responds to sexually exploited youth. Using delinquency proceedings to punish prostituted children has ended, and a new victim-centered response to meet their needs has been established.

The Advocates worked to draft and help pass the 2011 Safe Harbor Act, which included a last-minute compromise that left 16- and 17-year-olds out. Not satisfied, the organization zeroed in on expanding the law’s protections to all children under 18, and drafted the Minnesota Human Trafficking Task Force’s 2013 legislative agenda, leading to the 2013 law that expanded protections. The Advocates also participated in the creation of a victim-centered response—referred to as the “No Wrong Door Model”—and published Safe Harbor: Filling Minnesota’s Promise to Protect Sexually Exploited Youth, a report on the process.

The Advocates is now focused on developing educational resources for community and social service providers. It is pinpointing best practices for identifying victims and preventing this abuse and cataloging referrals and resources available under the law. In addition, The Advocates is providing public education on trafficking, as well as working statewide in collaboration with the Ramsey County Attorney’s Office, the entity charged with training law enforcement agencies and prosecutors on the law’s new approach to trafficking.

The Advocates set the stage for the paradigm shift back in 2008 when it published its report, Sex Trafficking Needs Assessment for the State of Minnesota, which included recommendations for responding to sex trafficking. Paramount was the human rights principle that people who are trafficked should be identified as victims, not criminals. The report emphasized that trafficking victims require specialized services, not detention and prosecution.

“Our ultimate goal is to bring the sale of people to an end; it must cease to be normal, acceptable, or profitable,” said Beatriz Menanteau, a staff attorney with the organization’s Women’s Human Rights Program.
Standing Up, Speaking Out

The power of performance hit its mark when two interns of The Advocates for Human Rights took to the Penumbra Theatre stage this summer to bring to life experiences of African American women and the sex trafficking of minors.

Interns Mansuda Arora and Alexis Simmons, participants in Penumbra’s Summer Institute, used their passion for the arts to promote social justice and equality. They helped create social change by standing up and speaking out, using their performances to move and educate people.

A three-year leadership development program that trains the next generation of activist artists, the institute turns to The Advocates to provide its students with internship opportunities and a chance to learn about social activism. “The Advocates informed me on issues I previously had not thought of, and really made me think about how I could take direct action to change them,” said Arora.

Arora’s production, “Griot,” explored the perceptions of black women in society and the intersection of race and gender. A senior this year at Saint Paul Academy, she was thrilled to use art for social justice, and she is excited to continue her journey as an activist artist.

Simmons’ production, “A Flower Grown from Concrete,” put a face on the human rights abuse of sex trafficking. It pushed audiences to think about the criminal justice system and its treatment of minors who are trafficked.

“The Institute creates space for opportunities that are not available anywhere else,” said Simmons. “The instructors and program directors launch us into the ‘real’ world of social change.”

Pictured: Alexis Simmons (upper left) and Mansuda Arora (lower right)
Photos courtesy of Allen Weeks

Interns Create the Future for Social Action

Thank you to The Advocates for Human Rights’ interns who served during summer 2014.

Columbia Univ.
Anna Jessurun

Cornell Univ.
Hanna McKinney

Illinois Wesleyan Univ.
Olive Kemi Adeleye

Macalester College
Zoya Haroon
Luiza Barbato Montesanti
Antara Nader

Martha Ellen Stillwell
School of The Arts
Alexis Simmons

Minnesota State Univ.
Rojina McCarthy

New York Univ.
School of Law
Stephanie Jones

Purchase College
Nina Santiago

Saint Paul Academy
Mansuda Arora

St. Cloud State Univ.
Rebecca Kotz

Univ. of Basel, Switzerland
Lydia Walter

Univ. of Notre Dame
Haja Saramba Kandeh
Ryan Schultheis

Univ. of Minnesota
Nick Bednar (Law School)
Witney Bjerke
Paula Cuellar (Graduate School)
Griffin Ferry (Law School)
Marie-Christine Ghreichi

Univ. of St. Thomas
Austin Dufort
Rachel Larson
Chloe O’Neill (Law School)

Winona State Univ.
Maggie Fischer

Yale Univ.
Charlotte Finegold

Non-students
Maria Omdahl
Major Victory Scored for Asylum Client

An offer by the U.S. Department of Justice to settle the asylum case of Paul Goromou—and avoid a showdown at the U.S. Supreme Court—is a big win for Goromou and the attorneys who were zealous advocates for their client. At the same time, it points out the arbitrary nature of immigration law. The Justice Department’s offer came after The Advocates for Human Rights and its partners working on Goromou’s behalf requested the U.S. Supreme Court review the immigration judge’s decision to deny asylum.

“Making Goromou’s case ripe for appeal was the legal requirement that a person must file for asylum within one year after entering the United States,” said Deepinder Mayell, director of The Advocates for Human Rights Refugee & Immigrant Program. “The one-year filing deadline established by Congress is arbitrary and affects thousands of refugees seeking asylum.”

Federal circuit courts disagree about whether they can second-guess immigration judges’ refusals to grant exceptions that the law allows. Even when an immigration judge’s denial is wrong, some courts maintain they cannot intervene to correct the injustice.

Goromou was represented by The Advocates; Robins, Kaplan, Miller & Ciresi L.L.P.; and attorneys and law students with the University of Minnesota Law School’s Center for New Americans.

VocalPoint, a choir that calls attention to important topics in today’s society and explores the issues in depth, has selected The Advocates for Human Rights to be its beneficiary in 2015. It will contribute 100 percent of performance-driven donations to The Advocates to build a better, safer world for women and girls.

VocalPoint will stage the concert “Claiming the Sky: Voices of Phenomenal Women” on February 7 and 8 at Central Presbyterian Church, 500 Cedar Street, in downtown Saint Paul. Both concerts begin at 4:00 p.m.

Joining the 70-voice auditioned VocalPoint chorus will be Zenon Dance Company, one of the nation’s premier repertory dance companies. Soloist Nicole Warner, whose voice has been described as a “hearty mezzo [brimming] with caramel and chocolate richness,” will bring her own story as a survivor of domestic violence, as will Chimee Haltarhuu, an immigrant from Mongolia who teaches and performs at Circus Juventas. Haltarhuu was awarded The Advocates’ 2014 Special Recognition Award for her help with the organization’s domestic violence work in Mongolia. And finally, Nothando Zulu, president of the Black Storytellers Alliance, will read powerful poetry of Dr. Maya Angelou.

“VocalPoint is characterized as “Music for a purpose—Singers for a cause,” said Jennifer Anderson, VocalPoint’s artistic director and conductor. “Our programs are not just concerts, they are emotional journeys.”

For more than 30 years, The Advocates has worked in partnership to end violence against women, including sex trafficking.
“Every individual, whomever, wherever, has a platform; sometimes it is grand, sometimes it is granular. We can make a positive impact on our world. From the board table to the kitchen table, from the classroom to the courtroom, from our homes to our communities—how we lead, how we lead our lives, and how we advocate matters, because there is so much unfinished business. There are still too many who reside outside the circle of justice and equality. It is up to us, starting right where we are, to draw the circle bigger.”

Marilyn Carlson Nelson,
Keynote speaker for the
Human Rights Awards Dinner 2014
Guests at fall house parties packed homes, thanks to The Advocates for Human Rights’ generous supporters. Special thank-yous go out to Carol Kayser for hosting the event to raise funds to make a better, safer world for women and girls (photos on left), and to Andrea and Jim Rubenstein for opening their home to advance the rights of refugees and immigrants (photos on right). “House parties connect us with people who are excited to learn about our human rights work and may become long-time supporters of The Advocates,” said Ann Ulring, The Advocates’ development director. “In this vital way, we draw our circle of support bigger, strengthen our organization for the future, and sustain our life-changing work.”
The Advocates for Human Rights
Human Rights Awards Dinner
June 25, 2014

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"Just as ripples spread out when a single pebble is dropped into water, the actions of individuals can have far-reaching effects."

— The Dalai Lama
Because every person matters.

Claiming the Sky
Voices of Phenomenal Women
A concert benefiting The Advocates for Human Rights

Sat., Feb. 7 & Sun., Feb. 8
4:00 p.m.
Central Presbyterian Church
500 Cedar Street, Saint Paul, MN

Presented by VocalPoint, with special guests Zenon Dance Company; Nicole Warner, mezzo-soprano; & Chimgee Haltarhuu, dancer & circus performer; and Nothando Zulu, president of the Black Storytellers Alliance. See page 15 for details.